# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD)(SN) ECF Case

This document relates to: All Cases

# PLAINTIFFS' NOTICE OF INITIAL MOTION TO COMPEL THE FEDERAL BUREAU OF INVESTIGATION TO PRODUCE DOCUMENTS FROM ITS INVESTIGATION OF SAUDI GOVERNMENT OFFICIALS' ASSISTANCE TO 9/11 HIJACKERS

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law, the Declaration of Sean P. Carter (with exhibits appended thereto), the Declaration of Andrew J. Maloney III (with exhibits appended thereto), Plaintiffs' Proposed Orders, and the prior proceedings and pleadings in this litigation, Plaintiffs, by and through their counsel the Plaintiffs Executive Committees, will move the Court before the Honorable Sarah Netburn, at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square New York, NY 10007, at a date and time to be determined by the Court, for an Order:

- Directing the Federal Bureau of Investigation ("FBI") to conduct searches of the 1. FBI's files and databases for all documents, information, and evidence relating to Abdullah Ali Saleh al-Jaithen aka Abdullah A.S. al-Jraithen, Adel Mohamed al-Sadhan, Mutaeb Abdelaziz al-Sudairy, and Omar Abdi Mohamed aka Omar Al Khateeb, and to produce responsive documents identified through those searches to plaintiffs;
- Directing the FBI to produce a version of the 2012 Summary Report of the FBI's 2. subfile investigation, removing the redactions the 9/11 plaintiffs have challenged as improper; and,

## Case 1:03-md-01570-GBD-SN Document 5127 Filed 09/11/19 Page 2 of 3

3. Directing the FBI to produce an unredacted version of the 2012 Summary Report to chambers for an *in camera* review by the Court, and granting such other and further relief as this Court deems just and proper.

Dated: New York, New York May 31, 2019

## COZEN O'CONNOR

By: /s/ Sean P. Carter
SEAN P. CARTER
COZEN O'CONNOR
One Liberty Place
1650 Market Street, Suite 2800
Philadelphia, Pennsylvania 19103
Tel.: (215) 665-2105

Email: scarter@cozen.com
For the Plaintiffs' Exec. Committees

KREINDLER & KREINDLER LLP

Bv:

STEVEN R. POUNIAN ANDREW J. MALONEY KREINDLER & KREINDLER LLP

750 Third Avenue

New York, New York 10017

Tel.: 212-687-8181

Email: spounian@kreindler.com

For the Plaintiffs' Exec. Committees

#### MOTLEY RICE LLC

By: /s/ Robert T. Haefele

ROBERT T. HAEFELE

MOTLEY RICE LLC

28 Bridgeside Boulevard

Mount Pleasant, SC 29465

Tel.: (843) 216-9184

Email: rhaefele@motleyrice.com

For the Plaintiffs' Exec. Committees

### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the annexed PLAINTIFFS' NOTICE OF INITIAL MOTION

TO COMPELTHE FEDERAL BUREAU OF INVESTIGATION TO PRODUCE

DOCUMENTS FROM ITS INVESTIGATION OF SAUDI GOVERNMENT OFFICIALS'

ASSISTANCE TO 9/11 HIJACKERS with supporting Memoranda, documents and exhibits,

being filed under seal, was served upon the following via email and U.S. First Class Mail this

31st day of May, 2019.

Geoffrey Berman, Esq.

Sarah Normand, Esq.

Jeanette Vargas, Esq.

United States Attorney's Office for the Southern District of New York Civil Division

86 Chambers Street / 3rd Floor

New York City, NY 10007

(Counsel for the United States)

Michael K. Kellogg, Esq.

Mark C. Hansen, Esq.

Gregory G. Rapawy, Esq.

Andrew Chun-Yang Shen, Esq.

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, PLLC

Sumner Square

1615 M Street, N.W., Suite 400

Washington, DC 20036

mkellogg@kellogghansen.com

mhansen@kellogghansen.com

grapawy@kellogghansen.com

ashen@kellogghansen.com

(Counsel for the Kingdom of Saudi Arabia)

Robert K. Kry, Esq.
MOLO LAMPKIN
600 New Hampshire Ave., NW
Washington, DC 20037
T: (202) 556-2011
rkry@mololamken.com
(Counsel for Dallah Avco)

Dated: New York, NY

May 31, 2019

STEVEN R. POUNIAN